



Mountain View-Los Altos Union HSD

Regular Board Meeting / Closed Session at 5:30 PM

Monday, March 25, 2019

Open Session: 7:00 PM

District Office Board Room

D.3 New Board Policy/Administrative Regulation 7325 (District Stadium Lights and Public Address Systems) and Amended Board Policy 1330 (Use of School Facilities)

Type:

Informational

Quick Summary/Abstract:

The Board of Trustees will receive the submission of three policies/regulations by the Superintendent for a first reading. In November 2018, the MVLA Board of Trustees directed the Superintendent to draft board policies pertaining to the potential installation and use of stadium lights and public address systems for Los Altos and Mountain View High Schools. The Board will receive the draft policies on March 25 but the Superintendent recommends that the Board provide a 30-day period to allow for written public comments for the Board's consideration prior to engaging in a discussion on the submitted draft policies. Submitted by Superintendent Jeff Harding

Description:

The Superintendent worked collaboratively with neighborhood groups, parents, athletic directors, music directors, trustees and other interested parties over the past five months. Many workgroup meetings were held to hear issues, gather data and share opinions. The Superintendent received and read numerous letters and emails espousing the advantages and drawbacks that could result from the installation of stadium lights on the main playing fields at the two comprehensive high schools.

The Superintendent balanced competing interests to draft policies that support student engagement in school while minimizing the impact on the community. The attached policies represent a balanced compromise between valid competing interests.

The Superintendent wishes to acknowledge the hard work of neighbors, staff and trustees who devoted many hours to listening, sharing ideas and finding support for compromise.

Recommended Motion:

This is a first reading of new policy with no request for board action.

Attachments:

1. Administration Regulation 1330 - Use of School Facilities
2. Board Policy & Administration Regulation 7325 - District Stadium Lights

Mountain View Los Altos Union HSD

Administrative Regulation

AR 1330(a)

Use of School Facilities

FACILITIES

Application for Use of Facilities

The Superintendent shall maintain application procedures and regulations for the use of school facilities which: (Education Code [38133](#))

1. Encourage and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school buildings and on school grounds, and protect school facilities. If necessary, a person may be designated to supervise this task.
3. Ensure that the use of facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of school work. (Education Code [38133](#))
4. Ensure that any person applying for the use of school property on behalf of any society, group, or organization presents written authorization from the group to make the application, and certifies that the intended use is consistent with district policies. The school principal or designee shall be responsible for scheduling facility use, subject to availability and to district policies and procedures.

Facilities may not be booked for community use until the schedule for school use has been determined for the school year.

Use agreements must be renewed each school year.

In granting permission for use of facilities, the district shall consider the impact on the surrounding neighborhood and may include conditions that minimize neighborhood impact. While school fields and other outdoor athletic facilities are generally open to all citizens, only groups with an approved use permit have exclusive and reserved use of school property. All organized activities are required to obtain approval for facility use.

Civic Center Use

There is a civic center at each and every one of the district's public school facilities and grounds. At these civic centers, the citizens, parent-teachers' associations, Camp Fire, Boy Scout troops, farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic,

Use of School Facilities

artistic, or moral activities of the district may engaged in supervised recreational activities, and they may meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment pertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside. (Education Code [38131\(a\)](#))

The Board may grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with these agencies in furnishing and maintaining such services as the Board may deem necessary to meet the needs of the community. (Education Code 38132)

The Board may grant the use of school facilities or grounds as a civic center upon the terms and conditions the Board deems proper, subject to the limitations, requirements, and restrictions set forth in Education Code [38131](#), for any of the following purposes: (Education Code [38131\(b\)](#))

1. Public, literary, scientific, recreational, educational or public agency meetings. (Education Code [38131\(b\)\(1\)](#))
2. The discussion of matters of general or public interest. (Education Code [38131\(b\)\(2\)](#))
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place for the conduct of the services. (Education Code [38131\(b\)\(3\)](#))
4. Child care programs to provide supervision and activities for children of preschool and elementary school age. (Education Code [38131\(b\)\(4\)](#))
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies. (Education Code [38131\(b\)\(5\)](#))
6. Supervised recreational activities. (Education Code [38131\(b\)\(6\)](#))
7. A community youth center. (Education Code [38131\(b\)\(7\)](#))
8. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code [1800](#))

Use of School Facilities

9. Other purposes deemed appropriate by the Board. (Education Code [38131](#)(b)(8))

Disallowed Uses:

School facilities shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law. Acts prohibited by law include, but are not limited to, acts prohibited by any ordinance or any combination of ordinances of the Cities of Mountain View or Los Altos.
2. Any use of school facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work.
3. Any use which unlawfully discriminates against an individual or group of individuals.
4. Any use which involves the possession, consumption or sale of alcoholic beverages or any restricted substances on school property.
5. Any activity which may reasonably be considered an unacceptable risk of injury to persons or property of any kind, including buildings, grounds or equipment, on the school site or nearby sites.

Restrictions

Persons, including not only district employees and persons or groups otherwise affiliated with some branch of the district, but also persons unaffiliated with any branch of the district, may use district facilities as a civic center for district related activities. The district reserves the right to preview any such activity and to modify or eliminate entirely any part thereof that does not conform to district standards of acceptable behavior. The district shall retain this right even if the district does not exercise it in all instances.

However, persons, including not only persons unaffiliated with any branch of the district, but also district employees and persons or groups otherwise affiliated with some branch of the district, may use district facilities as a civic center also for any allowed use or activity that is unrelated to district uses or activities. Such uses and such activities may be called "non-district uses" and "non-district activities", respectively.

The district recognizes that when its facilities are used as a civic center for non-district uses or activities, the district has an obligation not to abridge users' rights to free expression protected by the First Amendment. Therefore, the district cannot be responsible for the ideas expressed or

Use of School Facilities

the manner by which they are expressed during the course of non-district uses of district facilities.

Although the district intends to uphold its First Amendment obligations for allowed non-district uses of its facilities, the district also intends to support parents/guardians who expect presentations of movies to conform to MPAA ratings. To this end, the district shall require from would-be users of district facilities to present movies, plays or exhibits as part of non-district activities, the following contractual obligations:

1. To use MPAA ratings whenever they are available, and otherwise to derive MPAA-like ratings of their presentations by using MPAA codes and guidelines and calling attention to characteristics such as violence, nudity, sexual innuendo, and other characteristics used by the MPAA;
2. In each and every advertisement of other publicity piece for the presentation, to display prominently the MPAA or MPAA-like rating and characteristics;
3. To regulate admission to presentations of movies, plays or exhibits in accordance with the MPAA or MPAA-like rating; and
4. In each and every advertisement of other publicity piece for the presentation, to display prominently the statement, "State law requires the school district to offer its facilities for rent when the district is not using them for district activities. The First Amendment obligates the district not to stop renters from presenting lawful material because of ideas expressed therein or the manner of their expression. The district is in no way responsible for the presentation of the material and contractually enforces the use of MPAA ratings to regulate the admission of minors and to inform the public of the material's characteristics."

To enhance the public's awareness of the district's Civic Center Act responsibilities, theaters at the district's high schools shall prominently display signs bearing the statement quoted in 4 above.

The use of district facilities for fee-based tutoring, private music lessons, athletic coaching, or other commercial activities, whether for district students or others, shall require an approved Facility Use Application, evidence of insurance, and payment of facility use. This applies to coaches and other part-time employees of the district as well as outside parties. Individuals coming onto school property to work with students are subject to fingerprinting requirements.

Use of School Facilities

In order that the district reduce the impact from noise pollution on the surrounding community, the use of district swimming pools shall be limited for all non-district users. District pools will be available for rental only during weekdays between the hours of 8:00 a.m and 8:00 p.m., on Saturdays between the hours of 9:00 am and 6:00 pm, and on Sundays between the hours of 10:00 a.m. and 5:00 p.m., under the condition that the pool rental does not conflict with scheduled district uses. Only school district owned or provided sound equipment shall be used when using district pools, and must be used without modification.

Facility Use Fees

The use of school facilities should not result in costs to the district. Therefore, the Board shall adopt a fee schedule for community use that reflects at least direct costs for facility operation including custodians, maintenance, utilities and insurance, plus an allowance for wear and tear on facilities and equipment. Fees shall be adjusted to ensure that district expenditures are always covered.

A refundable security deposit may be required for use of district facilities and equipment. In-kind agreements for facility use in lieu of fees must be written and require the signature of the Superintendent. No staff member has the authority to authorize free use of district facilities without an approved use permit.

A fee schedule shall be adopted for community use of the theaters to reflect operating costs plus an allowance for equipment replacement and staffing costs to supervise facility use and/or operate theater equipment.

Damage and Liability

Groups or persons using school facilities shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities.

Any group using school facilities, including community/school support groups, shall provide verification of liability insurance prior to use. A certificate of insurance shall be submitted with an endorsement naming the Mountain View Los Altos Union High School District as an additional insured party to the policy. The minimum limits of liability per occurrence shall be as follows:

- No physical activity involved and/or small groups: \$500,000
- Physical activity involved and/or larger groups \$1,000,000
- High risk activity (e.g. carnival) or large groups \$3,000,000

Use of School Facilities

In certain circumstances where the liability exposure is determined to be minimal (e.g., Community Advisory Council meeting), a signed hold harmless agreement may be accepted in lieu of a certificate of insurance.

Certain facilities (such as offices, computer rooms, or science laboratories) may be excluded from community use for safety, security, or liability reasons.

All youth organizations using district facilities and grounds shall provide adequate supervision at all times.

Community use of district facilities shall require the presence of authorized district personnel on site. The school principal may waive this requirement, but in such cases a \$100 key deposit shall be required. A district employee generally will not be required for use of school grounds. Specialized facilities and equipment including, but not limited to, the theater and kitchen shall be approved for use only when district personnel trained to operate such equipment or facility are present.

The user group shall be charged for the cost of any set-ups or take-downs, field marking, or other special preparations provided by district staff. Prior approval is required for a community group to line the fields.

All facility use agreements, including athletic fields, must include provisions for the use of restroom facilities. A fee will be charged for restroom access.

MOUNTAIN VIEW-LOS ALTOS UNION HIGH SCHOOL DISTRICT
Administration approved:

Mountain View Los Altos Union HSD Board Policy

DISTRICT STADIUM LIGHTS AND PUBLIC ADDRESS SYSTEMS

BP 7325

Facilities

The Board of Trustees believes that stadium lights enable schools to enhance student engagement, wellness and learning opportunities for students. The District also recognizes that the use of stadium lights and public address systems can have a negative impact on the surrounding neighborhoods of our high schools. The Board acknowledges the importance of being a good neighbor in taking reasonable measures to mitigate these impacts.

The Board may grant the use of school facilities or grounds as a civic center upon the terms and conditions the Board deems proper, subject to the limitations, requirements, and restrictions set forth in Education Code 38131. The Superintendent or designee shall create and periodically review administrative regulations that guide the use of stadium lights and the public address system.

Immediately following the first year of this policy implementation, the administrative regulations shall be reviewed by district staff and community representatives. Following this review, the superintendent or designee may recommend amendments to the Board of Trustees. Any proposed changes to the administrative regulations shall be presented to the Board at a public meeting. Any modifications to the administrative regulations shall be made by the Board of Trustees at a public meeting of the Board.

The District administration shall maintain channels for two-way communications with local residents and the broader community. These channels will support responsive communications for the communities' questions and concerns.

MOUNTAIN VIEW-LOS ALTOS UNION HIGH SCHOOL DISTRICT
Board adopted:

Mountain View Los Altos Union HSD

Administrative Regulation

DISTRICT STADIUM LIGHTS AND PUBLIC ADDRESS SYSTEMS

AR 7325(a)

Facilities

General Regulations

1. In order to reduce the impact of sound and light on the surrounding neighborhood, the stadium lights and public address system shall not be rented for non-school District purposes. Rental of the stadium lights or the public address system to non-school sponsored groups shall not be permitted, with the exception of (1) rental to other public school districts for school-related purposes consistent with this policy, or (2) rental to non-profit organizations that are school-connected organizations under Board Policy/ Administrative Regulation 1230, and whose primary mission is to support MVLA students and programs (e.g., athletic boosters, music boosters). Any such uses by other schools or school-connected organizations shall be school-related and directly for the benefit of District pupils and pupils of other participating school districts.
2. The use of the stadium lights and the public address system will be restricted to weekdays and Saturdays; the stadium lights and the public address system will not be used on Sundays, unless under unusual circumstances approved by the Superintendent or designee.

Use Guidelines for Stadium Lights

The use of the stadium lights shall be limited by the following restrictions except under unusual circumstances approved by the Superintendent or designee.

1. Athletic Competitions: No more than five night varsity interscholastic competitions per year plus postseason competition (as determined by the California Interscholastic Federation) for each of the following sports: football, girls soccer, boys soccer, girls lacrosse, boys lacrosse, field hockey, track and field, and any new varsity field sport to be approved by the District.
2. Athletic Practice: Stadium lights may be used for athletic practice during weekdays until 8:30 p.m. but not during weekend nights unless under unusual circumstances approved by the Superintendent or designee. The public address system shall not be used during athletic practice.
3. Special Evening Events: Up to three evening special events per year may be held on each campus using stadium lights and the public address system ending by 9:00 p.m. Additionally, commencement exercises may be held during evening hours. Supplemental public address equipment may be rented by the District for use during commencement exercises.

4. Competition Lighting: Competition level lights shall be turned off within 30 minutes of an event's conclusion. The District will maintain adequate lighting following competitions to ensure safe egress for visitors.
5. Supervision: The school administration shall ensure that adequate supervision is provided at competitions. School or District administration may contract with the local police department or security firms in order to increase supervision at larger events as deemed necessary.
6. The use of stadium lights will be permitted until 8:30 p.m., Monday through Friday, for sports practice. Stadium lights are not be used on Sundays except under unusual circumstances, as determined by the Superintendent or designee.

Use Guidelines for Public Address System

The use of the public address system shall be limited by the following restrictions except under unusual circumstances approved by the Superintendent or designee. Only school District owned or provided sound equipment shall be used when using the stadium, and must be used without modification.

1. School administration shall make sure that operators of the public address system have been properly trained, and limit the number of people allowed to use the public address system.
2. Use of the public address system shall be limited to sports competitions and special evening events. Running commentary (play by play announcements) shall be permitted only during football competition. All other sports competitions shall limit the use of the public address system to announcements, warm-up music or similar uses without running commentary. The public address system shall not be used during athletic practices.
3. The public address system may be used for school day activities, such as but not limited to student body events, emergency drills, evacuations and special events.
4. The public address system will not be used on Sundays, except under unusual circumstances approved by the Superintendent or designee.
5. The District will install and operate a public address system that will allow for a reasonable experience for spectators within the stadium, while at the same time providing tolerable sound levels as measured at the property line of neighboring residences. The goal is to achieve sound levels that do not exceed ____ (level to be determined in consultation with specialists) as measured at the property line of surrounding residences.
6. Holiday Use: The use of the stadium lights and/or public address system on legal holidays shall be limited by all provisions described in this policy and shall require prior approval by the superintendent or designee. The public address system use during

holidays shall be limited to necessary and occasional announcements and occasional music not to begin prior to 8:00 a.m.

Marching Band Use and Competitions

The competitive season for Mountain View High School and Los Altos High School marching bands historically begin in August and continue through November. The competitive season may be extended in order to prepare for postseason regional or national competitions.

1. **Marching Band Practice:** Practice may be held with the use of stadium lights and the public address system one weeknight per week ending by 8:00 p.m. and an additional weeknight per week ending by 6:30 p.m. Marching band practice may be held during morning, afternoon and Saturday hours without stadium lights with no restriction.
2. **Community Impact:** Marching band directors shall take reasonable steps to minimize the impact of sound on the surrounding neighborhoods during practice sessions.
3. **Marching Band Multi-School Competitions:** Multi-school competitions may be scheduled at each campus but shall be limited to no more than one competition per year. Multi-school competitions that take place over more than one day shall limit the use of stadium lights to no more than one evening per year per campus ending by 7:30 p.m.

Student Conduct at Stadium Events

School administration shall include student conduct and behavior expectations for all school events, including stadium events, in the Student Handbook distributed to every student at the beginning of the school year. Students will be held to behavioral expectations at school events, consistent with school board policy and the California Education Code.

Community Relations and Communications

District administration shall dedicate a web page to be located on the District's website to community relations and communications. This web page will serve as a portal for two-way online communication and as a conduit for questions, concerns and suggestions. This website will allow neighbors to submit written correspondence to the District on any topic including stadium use. School personnel will respond to community inquiries within five business days.

The web page will also include a summary of queries and responses available for public review in the future.

MOUNTAIN VIEW-LOS ALTOS UNION HIGH SCHOOL DISTRICT
Administration approved: